

DOCKET NO.: AFSI-0123

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Michael Kim and Donald A. Bender**

**Serial No.: 09/649,144**

**Filing Date: August 25, 2000**

**For: Permanent Magnet Array and Magnet Holder for Flywheel Motor/Generator**

DATE OF DEPOSIT: *Aug 27 2000*  
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TYPED NAME: John W. Caldwell  
REGISTRATION NO.: 28,937

Commissioner of Patents and Trademarks  
Washington DC 20231

**STATEMENT UNDER 37 C.F.R. §3.73(b)**

**AFS Trinity Power Corporation, a corporation of Delaware,**

states that it is:

the assignee of the entire right, title, and interest; or  
 an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above.

1. The assignment was recorded in the Patent and Trademark Office at Reel 011394,  
Frame 0337. A Form PTO-1595 to record a Certificate of Merger and name  
change and is attached hereto.

2. The assignment has not yet been recorded. A copy of the assignment is attached.

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B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- i. From: \_\_\_\_\_ To: \_\_\_\_\_ The document was recorded in the Patent and Trademark Office at Reel \_\_\_, Frame(s) \_\_\_, or for which a copy thereof is attached.
- ii. From: \_\_\_\_\_ To: \_\_\_\_\_ The document was recorded in the Patent and Trademark Office at Reel \_\_\_, Frame(s) \_\_\_, or for which a copy thereof is attached.
- iii. From: \_\_\_\_\_ To: \_\_\_\_\_ The document was recorded in the Patent and Trademark Office at Reel \_\_\_, Frame(s) \_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

A copy of the assignment and Certificate of Merger with name change to AFS Trinity Power Corporation are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Respectfully submitted,

AFS Trinity Power Corporation

Date: April 26, 2001

By: Edward W. Furia

Name: Edward W. Furia

Title: Chairman and Chief Executive Officer



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

MARCH 15, 2001

PTAS



\*101576569A\*

LIMBACH & LIMBACH L.L.P.  
DOUGLAS C. LIMBACH  
2001 FERRY BUILDING  
SAN FRANCISCO, CA 94111

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/26/2000

REEL/FRAME: 011394/0337  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS)

ASSIGNOR:  
KIM, MICHAEL

DOC DATE: 12/07/2000

ASSIGNOR:  
BENDER, DONALD

DOC DATE: 12/07/2000

ASSIGNEE:  
TRINITY FLYWHEEL POWER  
6724-D PRESTON AVE.  
LIVERMORE, CALIFORNIA 94550

SERIAL NUMBER: 09649144  
PATENT NUMBER:

FILING DATE: 08/25/2000  
ISSUE DATE:

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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S. DEPARTMENT OF COMMERCE  
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To the Director - U.S. Patent and Trademark Office.

101576569

Original documents or copy thereof.

Name(s) of conveying party(ies):

Michael Limbach  
Donald Bender

APR 3 0 2001

Additional Name(s) of conveying party(ies) attached?

 Yes

TRADEMARK OFFICE

 No

## 3. Nature of Conveyance:

Assignment       Merger  
 Security Agreement       Change of Name  
 Other

Execution Date: December 7, 2000

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)  
09/649,144

B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Douglas C. Limbach

Internal Address: Limbach & Limbach L.L.P.  
Street Address: 2001 Ferry Building  
City, State, ZIP: San Francisco, California 94111  
Telephone: (415) 433-4150  
Facsimile: (415) 433-8716Attorney Docket No. TRIN-210 

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): ..... \$ 40.00

Enclosed  
 Charge any deficiencies in the enclosed fee to  
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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Douglas C. Limbach, Reg. No.  
Name of Person Signing

Signature

12-19-00  
Date

Total number of pages including cover sheet, attachments and document: 3

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ASSIGNMENT

WHEREAS, WE, Michael Kim and Donald Bender hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: PERMANENT MAGNET ARRAY AND MAGNET HOLDER FOR FLYWHEEL MOTOR/GENERATOR

Application (Declaration/Oath) Execution Date: December 5 & 7, 2000

Filing Date: August 25, 2000 Application No.: 09/649,144

WHEREAS, Trinity Flywheel Power, a corporation of the State of California, 6724-D Preston Ave., Livermore, CA 94550, hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignors had this assignment and transfer not been made, to the full end and term of any such Letters Patent.

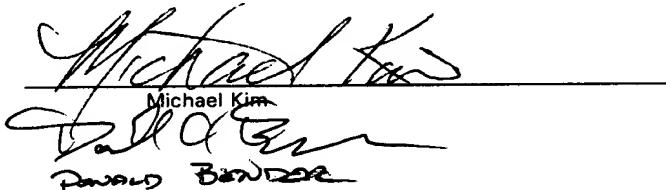
Assignors further agree that they will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: 12/7/00

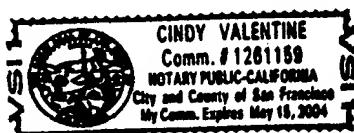
State of CA

County of ALAMEDA

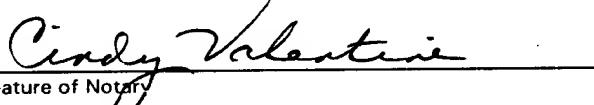
  
Michael Kim  
Donald Bender

On DEC. 7, 2000 before me, Michael Kim and Donald Bender

personally appeared Michael Kim + Donald Bender personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



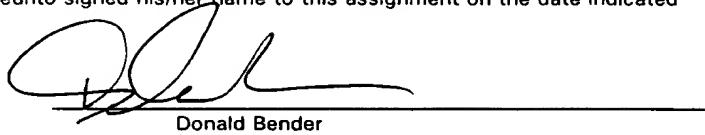
WITNESS my hand and official seal.

  
Signature of Notary

SEAL

IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: 12/7/00

  
Donald Bender

State of CA

County of ALAMEDA

On Dec. 7, 2000 before me, Cindy Valentine, Notary

personally appeared Donald Bender personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



SEAL

WITNESS my hand and official seal.

  
Signature of Notary



**CERTIFICATE OF MERGER  
OF  
TRINITY FLYWHEEL SYSTEMS  
INTO  
AFS TRINITY POWER CORPORATION**

**Pursuant to Section 252 of the General  
Corporation Law of the State of Delaware**

AFS Trinity Power Corporation, a Delaware corporation, does hereby  
certify as follows:

**FIRST:** The names and states of incorporation of the constituent  
corporations to this merger are as follows:

<b>NAME:</b>	<b>STATE</b>
AFS Trinity Power Corporation	Delaware
Trinity Flywheel Systems	California

**SECOND:** An Agreement and Plan of Merger has been approved,  
adopted, certified, executed and acknowledged by each of the constituent corporations  
in accordance with Section 252(c) of the General Corporation Law of the State of  
Delaware.

**THIRD:** The name of the corporation surviving the merger is AFS  
Trinity Power Corporation.

**FOURTH:** The Certificate of Incorporation of AFS Trinity Power  
Corporation shall be the Certificate of Incorporation of the surviving corporation.

**FIFTH:** The executed Agreement and Plan of Merger is on file at an  
office of the Surviving Corporation, Post Office Box 449, Medina, Washington,  
98039. A copy will be provided, upon request and without cost, to any stockholder of  
either constituent corporation.

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IN WITNESS WHEREOF, AFS Trinity Power Corporation has  
caused this Certificate of Merger to be executed in its corporate name this 30<sup>th</sup> day of  
March, 2001.

AFS TRINITY POWER CORPORATION

By:   
Edward W. Furia  
Chairman and Chief Executive Officer